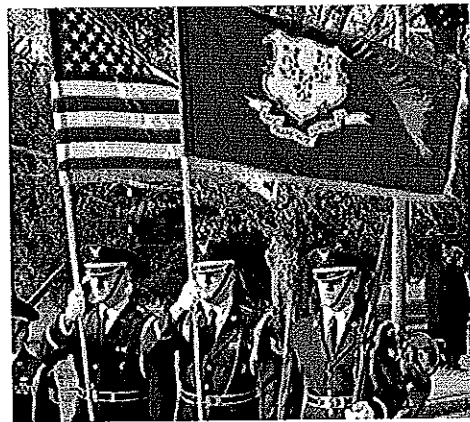


KENNETH J. KRAYESKE v. STATE OF CONNECTICUT

CLAIMS COMMISSION FILE NO. 22750

AN APPEAL TO THE
JUDICIARY COMMITTEE OF THE
CONNECTICUT GENERAL ASSEMBLY
FOR THE 2015 LEGISLATIVE SESSION:
ON THE EVENTS OF
GOVERNOR M. JODI RELL'S
INAUGURATION, JANUARY 3, 2007.



Attorney: **Jason A. Becker, Esq.**

Juris No.: 431696

88 Mill Rock Road East

Old Saybrook, CT 06475

Tel: 860-227-3687

jason@jasonbeckerlaw.com

LAYOUT ARTIST

Kyrima Colon-Hopkins

www.kyrima.com

Table of Contents

4	Introduction
6	Prologue: The Story of Phil Chinn
8	In CT, the Story Begins in the 2006 Gubernatorial Race
12	CT State Police Surveilled the CT Green Party
14	The CT State Police Tracked Ken Krayeske's Speech
16	And Handed out a One-Page Flyer of him Before the Inaugural Parade
18	Hartford Police Arrested Krayeske
20	And Held Him on \$75,000 Bail
22	An Impossible Bail
24	The Arrest Report Was Fiction
26	Public Opinion Supported Krayeske
28	But CT State Police Destroyed the One Page Flyer
30	Testimony to the General Assembly About a Two-Pager was False
32	So Was a Letter to Gov. M. Jodi Rell featuring a two-page dossier
34	By March 2007, the State Dropped the Charges
35	Krayeske Sued in Federal Court
37	And Lost to the State Police Defendants
39	The Attorney General's Office Hid The Destruction of Evidence
40	The Court Acknowledged the State Police "stuffed" Krayeske
41	Krayeske Sought a Remedy at the Claims Commission And
42	Could Easily Meet the Elements of His Causes of Action
44	HPD Lt. Foley Admitted Krayeske Got a Raw Deal
45	Then Lt. Foley Rescinded His Apology
46	The Claims Commission Dismissed Krayeske's Claim
47	And Now Krayeske Appeals to the Judiciary Committee
48	The Missing One-Page Flyer?

The ancient doctrine of sovereign immunity posits the state cannot be sued. When a government of the people confronts its own police corruption, this doctrine must stand as an absurd relic, a leftover of the divine right of kings. Some legal scholars have suggested that sovereign immunity has no place at all in a republican form of democracy.

What happens when state actors - like police and attorneys - conspire to block the exercise and vindication of cherished American liberties: freedom of speech, freedom of assembly, and freedom from illegal search and seizure? Centuries ago, our heroes created civic institutions like the state of Connecticut to protect these rights.

Just as our forebears resisted violations of these sacred dignities, we must now show we, as a responsive community, admit our trespasses against ourselves. We must act swiftly when our neighbors and kin betray these aims, when those we have entrusted to safeguard liberties prove destructive of those ends. Ken Krayeske's story asks if Connecticut can do penance when state employees mislead and hide evidence to hide their crimes against freedom. The discrepancies highlighted in the following pages represent only the worst examples of official misconduct here; many more details did not merit inclusion.

The tale revolves around the events of Gov. M. Jodi Rell's Inaugural Parade on January 3, 2007. At about 1:21 p.m., Connecticut State and Hartford police targeted activist and journalist Ken Krayeske to stop potential political protest. Krayeske was arrested on fraudulent charges and held hostage on \$75,000 bail for 13 hours.

Once the state dropped the fictional charges, Krayeske sued in federal court, claiming false arrest and free speech retaliation. Document destruction by the Connecticut State Police prevented Krayeske from winning a verdict. Despite the outcry of the press and citizenry in the immediate aftermath of the arrest, purposeful obfuscations by state actors dammed the flow of justice.



Mr. Krayeske now stands before the Judiciary Committee of the Connecticut General Assembly seeking to abrogate sovereign immunity, so that he can sue the state for its role in hiding the true nature of Krayeske's arrest: preemptive kidnapping of a protestor to prevent free exercise of speech. On October 14, 2011, Mr. Krayeske lodged five claims with the Claims Commission. The four against the Department of Public Safety were Intentional Spoliation, Third-Party Intentional Spoliation, Fraudulent Misrepresentation, and Fraudulent Concealment and a fifth against the Office of the Attorney General for Fraudulent Concealment. The Claims Commissioner rejected these claims.

Should Krayeske not receive the ability to sue the state, in the alternative, Krayeske seeks damages and reimbursement of legal costs from eight years of litigation. The case of Phil Chinn in Washington state instructs as to what Mr. Krayeske may be entitled to.

